

Sec. 16. NEW SECTION. 321L.8 HANDICAPPED IDENTIFICATION DEVICES AND PARKING — RULES.

1. The department, pursuant to chapter 17A, shall adopt rules:
 - a. Establishing procedures for applying to the department for issuance of permanent or temporary handicapped identification devices under this chapter.
 - b. Governing the manner in which handicapped identification devices are to be displayed in or on motor vehicles.
 - c. Regarding enforcement of this chapter.
2. The department of public safety shall adopt rules pursuant to chapter 17A governing the manner in which handicapped parking spaces are provided.

Sec. 17. NEW SECTION. 321L.9 RECIPROCITY.

Handicapped identification devices issued lawfully by other states and foreign governmental bodies or their political subdivisions shall be valid handicapped identification devices for nonresidents traveling or visiting in this state.

Sec. 18. NEW SECTION. 321L.10 REISSUANCE OF HANGING DEVICES.

1. The department shall begin the issuance of new handicapped identification hanging devices as provided in this chapter beginning January 1, 1990.
2. After January 1, 1991, only new handicapped identification hanging devices issued by the department pursuant to this chapter shall be valid and other hanging devices issued prior to January 1, 1990, shall be invalid.
3. In addition to the requirements of the permanent and temporary hanging devices provided under sections 321L.2 and 321L.4, one side of the hanging device shall also have the following statement printed on it: "Unauthorized use of this device as indicated in Iowa Code chapter 321L may result in a fine, invalidation of the device, or revocation of the right to use the device." The hanging device shall also include the return address and telephone number of the department.
4. This section does not apply to the issuance of handicapped registration plates or handicapped identification stickers.

Sec. 19. Section 805.8, subsection 2, paragraph s, Code 1989, is amended by striking the paragraph.

Sec. 20. Chapter 601E, Code 1989, is repealed.

Sec. 21. Except for section 7 of this Act, this Act takes effect January 1, 1990. Section 6* of this Act takes effect July 1 following the enactment of this Act.

Approved May 27, 1989

CHAPTER 248

COUNTY VETERAN AFFAIRS COMMISSIONS

H.F. 146

AN ACT relating to the county commission of veteran affairs.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 250.6, Code 1989, is amended to read as follows:

250.6 QUALIFICATION — ORGANIZATION.

~~They~~ The members of the commission shall qualify by taking the usual oath of office, and give bond in the sum of five hundred dollars each, conditioned for the faithful discharge of

*Section 7 probably intended

their duties with sureties to be approved by the county auditor. The commission shall organize by the selection of one of their ~~number~~ members as chairperson, and one as secretary. The commission, subject to the approval of the board of supervisors, shall have power to employ an executive director and other necessary administrative or clerical assistants when needed, the compensation of such employees to be fixed by the board of supervisors, but no member of the commission shall be so employed. The executive director must possess the same qualifications as provided in section 250.3 for commission members. However, this qualification requirement shall not apply to a person employed as an executive director prior to the effective date of this Act. The commission with the approval of the board of supervisors shall appoint one of the deputies of the county auditor to serve as administrative assistant to the commission, to serve without additional compensation, unless for good reasons shown, this arrangement is not feasible.

In counties where a commission has established an office, the office shall be open a minimum of four hours each work day. The hours that the office is open shall be posted in a prominent position outside the office. In lieu of an office being open a minimum of four hours each work day, the names, home addresses, telephone numbers, and duties of commission members shall be posted.

Approved May 28, 1989

CHAPTER 249

EXCLUSION FROM INCOME OF VIETNAM HERBICIDE DAMAGES

H.F. 578

AN ACT excluding from income for purposes of state and local government benefit or entitlement programs and the state individual income tax proceeds received for damages resulting from exposure to certain herbicides and providing a retroactive applicability date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 139A.11 VETERANS' LITIGATION AWARDS.

1. For purposes of this section, "Vietnam herbicide" means a herbicide, defoliant, or other causative agent containing dioxin, including, but not limited to, Agent Orange, used in the Vietnam conflict at any time between December 22, 1961, and May 7, 1975, inclusive.

2. a. Notwithstanding any other law of this state, proceeds received pursuant to a judgment in, or settlement of, a lawsuit against the manufacturer or distributor of a Vietnam herbicide for damages resulting from exposure to the herbicide shall not be considered as income or an asset for determining the eligibility for state or local government benefit or entitlement programs. The proceeds are not subject to recoupment for the receipt of governmental benefits or entitlements and liens, except liens for child support, are not enforceable against these sums for any reason.

b. This exclusion of litigation proceeds from benefit or entitlement program calculations are available only to disabled veterans or their beneficiaries, whether payment is received in a lump sum or payable in installments over a period of years.

Sec. 2. Section 422.7, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 19. Subtract, to the extent included, the proceeds received pursuant to a judgment in or settlement of a lawsuit against the manufacturer or distributor of a Vietnam herbicide for damages resulting from exposure to the herbicide. This subsection applies to proceeds received by a taxpayer who is a disabled veteran or who is a beneficiary of a disabled veteran.